

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

EMILIO HERNANDEZ SILVA, #55970

§

VS.

§

CIVIL ACTION NO. 6:16cv227

SHERIFF SMITH, ET AL.

§

ORDER OF DISMISSAL

Plaintiff Emilio Hernandez Silva, an inmate confined in the Smith County Jail, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the civil rights lawsuit should be dismissed because Plaintiff did not comply with an order to pay an initial partial filing fee of \$4.20. Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Plaintiff are without merit. The Court specifically observes that the objections do not address the reasons stated in the Report and Recommendation for dismissing the lawsuit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly


ORDERED that the Report and Recommendation (docket entry #14) is **ADOPTED**. It is further

ORDERED that the cause of action is **DISMISSED** without prejudice for want of prosecution and failure to obey an order. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 27th day of May, 2016.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE